

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. SEP 19 1984

Returned to applicant for correction.

Corrected application filed. Map filed SEP 19 1984

The applicant. Nevada Cattle Co., Inc.

Ruby Valley of Wells  
Street and No. or P.O. Box No. City or TownNevada 89835 hereby make application for permission to change the  
State and Zip Code No.

Point of Diversion for a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under application no. 47929  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is. Underground  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed. 2.658 cfs  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for. Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for. Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point. NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9, T 28 N, R 58 E,  
Describe as being within a 40-acre subdivision of public survey and by course and  
MDB & M., at a point from which the W $\frac{1}{4}$  corner of Section 4, T 28 N,  
distance to a section corner. If on unsurveyed land, it should be stated.  
R 58 E, MDB & M., bears N 24 $^{\circ}$  13' 36" W 5861.87 feet.
6. The existing permitted point of diversion is located within. NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9, T 28 N, R 58 E,  
If point of diversion is not changed, do not answer.  
MDB & M., at a point from which the W $\frac{1}{4}$  corner of Section 4, T 28 N,  
R 58 E, MDB & M., bears N 21 $^{\circ}$  03' 29" W 5727.51 feet.
7. Proposed place of use. SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 29; SW $\frac{1}{4}$  and a portion of the E $\frac{1}{2}$   
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
Section 28; All of Section 33 T 29 N, R 58 E, MDB & M., NW $\frac{1}{4}$ , E $\frac{1}{2}$  SW $\frac{1}{4}$ , E $\frac{1}{2}$  Section  
4; E $\frac{1}{2}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  Section 9, All of Section 10; NE $\frac{1}{4}$  Section 15, T 28 N,  
R 58 E, MDB & M., A portion of the W $\frac{1}{2}$  of Franklin Lake, T 28-29 N, R 58 E, MDB & M.
8. Existing place of use. Same as above.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from. January 1 to December 31 of each year.  
Month and Day Month and Day
10. Use was permitted from. January 1 to December 31 of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Well, Pipelines, Sprinkler System and  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
Ditches.  
pipes and flumes, or drilled well, etc.
12. Estimated cost of works. \$50,000
13. Estimated time required to construct works. 3 years

14. Estimated time required to complete the application of water to beneficial use..... 5 years.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The reasons for the Point of Diversion change is that the well has 12 cfs permitted and will not produce this amount. Also a 300-400 HP motor would be needed to pump the  $\pm 3200$  GPM which we feel the well will produce. It is the

recommendations of the W.R.E.C. that due to cost and lack of power available

in this area the applicant should use 150 HP motors and drill a second well.

See attached letters.

By s/ Alan S. Boyack

Alan S. Boyack, Agent  
515 South Fifth Street  
Elko, Nevada 89801

Compared..... 11/bm..... 11/bc.....

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 47929 is issued subject to the terms and conditions imposed in said Permit 47929 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 2.658..... cubic feet per second, but not to exceed a yearly

duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... January 21, 1986.....

Proof of completion of work shall be filed before..... February 21, 1986.....

Application of water to beneficial use shall be made on or before..... January 21, 1987.....

Proof of the application of water to beneficial use shall be filed on or before..... February 21, 1987.....

Map in support of proof of beneficial use shall be filed on or before..... February 21, 1987.....

Completion of work filed..... MAR 06 1986..... IN TESTIMONY WHEREOF, I, PETER G. MORROS,  
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this 13TH day of FEBRUARY.....

Cultural map filed.....

Certificate No..... Issued.....

A.D. 19 85

*Peter G. Morros*  
State Engineer